



TITLE V OPERATING PERMIT

Issued pursuant to Title 22a of the Connecticut General Statutes (CGS) and Section 22a-174-33 of the Regulations of Connecticut State Agencies (RCSA) and pursuant to the Code of Federal Regulations (CFR), Title 40, Part 70.

Title V Permit Number	117-0270-TV
Client/Sequence/Town/Premises Numbers	7884/02/117/212
Original Issue Date	March 28, 2006
Modification Issue Date	N/A
Expiration Date	March 28, 2011

Corporation:

Magellan Terminals Holdings, L.P.

Premises location:

134 Forbes Avenue, New Haven, Connecticut 06512

Name of Responsible Official and Title:

Jay Wiese – Vice President of Terminal Services and Development

All the following attached pages, 2 through 30, are hereby incorporated by reference into this Title V Operating Permit.

GINA MCCARTHY
Gina McCarthy
Commissioner

MARCH 28, 2006
Date

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LIST OF ACRONYMS

<i>Acronym</i>	<i>Description</i>
ACFM	Actual cubic feet per minute
ASC	Actual Stack Concentration
BACT	Best Available Control Technology
BAM	Bureau of Air Management
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
CO	Carbon Monoxide
CP/OP	Construction Permit/Operating Permit
CTG	Control Technology Guideline
DEP	Department of Environmental Protection
DSCF	Dry standard cubic feet
DSCM	Dry standard cubic meters
EMU	Emission Unit
ERC	Emission Reduction Credit
EPA	Environmental Protection Agency
FLER	Full load emission rate
GEU	Grouped Emission Unit
GPH	Gallons per hour
GPM	Gallons per minute
HAP	Hazardous Air Pollutant
HLV	Hazard Limiting Value
LAER	Lowest Achievable Emission Rate
MACT	Maximum Achievable Control Technology
MASC	Maximum Allowable Stack Concentration
MSDS	Material Safety Data Sheet
NESHAP	National Emission Standards for Hazardous Air Pollutants
NOx	Nitrogen Oxides
NSR	New Source Review
PM	Particulate Matter
PPMV	Parts per million, volumetric basis
PTE	Potential to Emit
RACT	Reasonably Available Control Technology
RCSA	Regulations of Connecticut State Agencies
RMP	Risk Management Plan
SIC	Source Identification Code
SIP	State Implementation Plan
TOC	Total Organic Carbon
TPH	Tons per hour
TPY	Tons per year
TSP	Total Suspended Particulate
VOC	Volatile Organic Compound
VOL	Volatile Organic Liquid

DEFINITIONS

Bulk gasoline terminal means any gasoline facility that receives gasoline by pipeline, ship or barge, and has a gasoline throughput greater than 75,700 liters per day.

Gasoline means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals (4.0 PSI) or greater which is used as a fuel for internal combustion engines.

Gasoline cargo tank means a delivery tank truck or railcar which is loading gasoline or which has loaded gasoline on the immediately previous load.

Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State or local law and discoverable by the Administrator and any other person.

Loading rack means the loading arms, pumps, meters, shutoff valves, relief valves, and other piping and valves necessary to fill gasoline cargo tanks.

Maximum true vapor pressure means the equilibrium partial pressure exerted by the stored VOL at the temperature equal to the highest calendar-month average of the VOL storage temperature for VOL's stored above or below the ambient temperature or at the local maximum monthly average temperature as reported by the National Weather Service for VOL's stored at the ambient temperature, as determined:

1. In accordance with methods described in American Petroleum institute Bulletin 2517, Evaporation Loss From External Floating Roof Storage vessels; or
2. As obtained from standard reference texts; or
3. As determined by ASTM Method D2879-83;
4. Any other method approved by the Administrator.

Reid Vapor Pressure (RVP) means the vapor pressure of a liquid in psia at one hundred (100) degrees Fahrenheit as determined by American Society for Testing and Materials method D323-82.

Storage vessel means each tank, reservoir, or container used for the storage of volatile organic liquids but does not include:

1. Frames, housing, auxiliary supports, or other components that are not directly involved in the containment of liquids or vapors; or
2. Subsurface caverns or porous rock reservoirs.

Vapor collection system means any equipment used for containing total organic compounds vapors displaced during the loading of gasoline tank trucks.

Vapor processing system means all equipment used for recovering or oxidizing total organic compounds vapors displaced from the affected facility.

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All conditions in Sections III through VI, VIII, and IX of this permit are enforceable by both the Administrator and the commissioner unless otherwise specified. Applicable requirements and compliance demonstration are set forth in Sections III and IV of this permit. The Administrator or any citizen of the United States may bring an action to enforce all permit terms or conditions or requirements contained in Sections III through IX (except Section VII) of this permit in accordance with the Clean Air Act (CAA), as amended.

Section I: Premises Information/ Description

A. PREMISES INFORMATION

Nature of Business: Special Warehousing and Storage, Not Else Classified
Primary SIC: 4226
Facility Mailing Address: Magellan Terminals Holdings, L.P.
One Williams Center, MD 27-3
Tulsa, OK 74172
Telephone Number: (918) 574-7000

B. PREMISES DESCRIPTION

Magellan Terminals Holdings, L.P. (MTH) has a Forbes Avenue bulk petroleum terminal located on the Eastern Shore of Quinnipiac River in New Haven. The terminal changed names from Williams Terminals Holdings, L.P. in September 2003. The terminal is bordered to the north by a marine terminal operated by the Logistec Connecticut, Inc. (dry cargo). A second marine terminal facility operated by the Q River terminal is located west of the terminal. The northern boundary on the terminal is along the Quinnipiac River, while Forbes Avenue forms the southern boundary of the property.

The terminal has one truck loading rack consisting of a total of 7 loading bays for gasoline and distillate petroleum products. The rack was previously registered (R-909) but was permitted (#117-0363) in 2005 when it was reactivated after being out of service since 1985. The loading rack is subject to the requirements of 40 CFR 60 Subpart XX.

The first permittee, Williams Energy, stipulated that the terminal was subject to 40 CFR 63 Subpart R instead of making an applicability determination. Therefore, the gasoline storage vessels on the premises are subject to 40 CFR 60 Subpart Kb due to the Subpart R applicability. The requirements of 40 CFR 60 Subpart A have been subsumed into the requirements of 40 CFR 60 Subpart Kb.

The H.B. Smith boiler is not subject to the MACT standard for Industrial, Commercial and Institutional Boilers and Process Heaters, 40 CFR 63 Subpart DDDDD because it has a rated capacity of less than 10 MMBtu/hr.

The facility also operates a groundwater remediation system to recover free phase petroleum product from the subsurface. The system consists of an aboveground small storage vessel for storing the recovered product and an air-stripping unit to treat the extracted groundwater prior to disposal. The stripping unit does not require an air permit under RCRA 22a-174-3a.

MTH requested authorization for barge loading of distillate fuels at the facility. Although, this process meets the definition of marine tank vessel loading operation as defined in 40 CFR 63.561, MACT for Marine Tank Vessel Loading, the loading of tank barges is not subject to the MACT. This is because the subpart does not apply to emissions resulting from marine tank vessel loading of commodities with vapor pressures less than 1.5 psia at standard conditions.

Section II: Emission Units Identification

A. EMISSION UNITS IDENTIFICATION: STANDARD OPERATING SCENARIO (SOS)

Emission units are set forth in Table II.A.

TABLE II.A: EMISSION UNIT DESCRIPTION					
Emission Units	Grouped Emission Units	Emission Unit Description	Size Rating/ Design Capacity	Control Unit Description	Permit, Order, Registration Number, or NSPS*
EMU 1	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 20	2,540,916 gals	Internal floating roof with vapor mounted primary and secondary seal	NSPS Subpart Kb
EMU 2	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 21	1,191,414 gals	Internal floating roof with vapor mounted primary and secondary seal	NSPS Subpart Kb
EMU 3	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 22	1,190,532 gals	Internal floating roof with vapor mounted primary and secondary seal	NSPS Subpart Kb
EMU 4	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 23	4,765,740 gals	Internal floating roof with vapor mounted primary seal and secondary seal	R-908
EMU 5	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 24	2,282,658 gals	Internal floating roof with vapor mounted primary and secondary seal	R-625
EMU 6	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 27	1,138,200 gals	Internal floating roof with vapor mounted primary seal and secondary seal	R-627
EMU 7	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 28	3,407,124 gals	Internal floating roof with vapor mounted primary seal and secondary seal	R-628
EMU 8	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 29	845,334 gals	Internal floating roof with vapor mounted primary and secondary seal	NSPS Subpart Kb
EMU 9	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 30M	3,276,000 gals	Internal floating roof with mechanical shoe primary seal and secondary seal	NSPS Subpart Kb
EMU 10	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 31M	3,276,000 gals	Internal floating roof with mechanical shoe primary seal and secondary seal	NSPS Subpart Kb
EMU 11	GEMU 1	Aboveground Gasoline, Ethanol, and Distillate Storage Vessel 32M	4,704,000 gals	Internal floating roof with mechanical shoe primary seal and secondary seal	NSPS Subpart Kb
EMU 12	GEMU 2	Gasoline and Ethanol Loading Rack (Vapor Combustion Unit)	1.19 x 10 ⁹ gals/yr	John Zink Vapor Combustion Unit	CP/OP 117-0363
EMU 13	GEMU 2	Gasoline and Ethanol Loading Rack (Truck - Fugitive Emissions)	1.19 x 10 ⁹ gals/yr	John Zink Vapor Combustion Unit	CP/OP 117-0363
EMU 14	GEMU 2	Distillate Loading Rack (2 controlled bays and 1 uncontrolled)	0.79 x 10 ⁹ gals/yr	John Zink Vapor Combustion Unit (2 controlled bays)	CP/OP 117-0363
EMU 15	GEMU 2	Marine Barge Distillate Loading Operations	105 x 10 ⁶ gals/yr	None	CP/OP 117-0363
EMU 16		Product Distribution System (Fugitive Emissions)		None	None

* It is not intended to incorporate by reference these NSR Permits, Orders, or Registrations into this Title V permit.

Section III: Applicable Requirements

The following tables contain terms and conditions for the operation of each identified Emission Unit, and Operating Scenario regulated by this permit.

A. GROUP EMISSION UNIT 1 (Aboveground Gasoline and Distillate Storage Vessels)

Table III.A: APPLICABLE REQUIREMENTS - GROUP EMISSION UNIT 1 (GEMU 1)		
Pollutants or Process Parameters	Limitations or Restrictions	Applicable Regulatory References/Citations
1. VOC	<p>1.i. The permittee shall not exceed these VOC emission limits: 5.8 tpy (for EMU 10), 2.72 tpy (for EMU 11), and 3.80 tpy (for EMU 18) on a 12 month rolling average.</p> <p>1.ii. The permittee shall install on all storage vessels a fixed roof in combination with an internal floating roof to control VOC in accordance with 40 CFR 60.112b.</p> <p>1.iii. Between May 1 and September 15 of every year, the permittee shall not offer for sale, sell or deliver to any gasoline service station in Connecticut, gasoline with a Reid Vapor Pressure in excess of 9.0 psi.</p>	<p>1.i. CP/OP 117-0167 (EMU 10); CP/OP 117-0125 (EMU 11); and CP/OP 117-0154 (EMU 18)</p> <p>1.ii. 40 CFR 60.112b; 40 CFR 63.423</p> <p>1.iii. RCSA 22a-174-20(a)(5)</p>

Section III: Applicable Requirements

B. GROUP EMISSION UNIT 2 (Loading Operations)

Table III.B: APPLICABLE REQUIREMENTS - GROUP EMISSION UNIT 2 (GEMU 2)		
Pollutants or Process Parameters	Limitations or Restrictions	Applicable Regulatory References/Citations
1 VOC/ HAPs	<p>1.i. The emissions to the atmosphere from the vapor combustion unit (the VCU) due to the loading of liquid product into gasoline cargo tanks shall not exceed 10 milligrams of total organic compounds per liter of gasoline loaded over a six-(6) hour period.</p> <p>1.ii. The fugitive emissions to the atmosphere due to the loading of liquid product into gasoline cargo tanks shall not exceed 13 milligrams of total organic compounds per liter of gasoline loaded.</p>	<p>1.i. 40 CFR 63.422(b); RCSA 22a-174-20(b)(2)(B)</p> <p>1.ii. 40 CFR 63.420(a)(1)</p>
2. Vapor-tight Gasoline Cargo Tanks	<p>2.i. The permittee shall not load gasoline into gasoline cargo tanks at the premises unless the gasoline cargo tanks are vapor-tight and equipped with vapor collection and processing equipment that are compatible with the terminal's vapor combustion unit (the VCU).</p> <p>2.ii. The vapor collection and processing systems and the liquid loading equipment shall be designed such that during product loading and unloading, the gasoline cargo tank shall not be subject to a gauge pressure in the excess of 450 mm of water (approximately 18 inches of water).</p>	<p>2.i. 40 CFR 60.502(f)</p> <p>2.ii. 40 CFR 60.502(h)</p>

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C. EMISSION UNIT 16 (Product Distribution System)

Table III.C: APPLICABLE REQUIREMENTS - EMISSION UNIT 16 (EMU 16)		
Pollutants or Process Parameters	Limitations or Restrictions	Applicable Regulatory References/Citations
1. Volatile Organic Liquid	<p>1. The permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for over a six-(6) hour period. The permittee shall take measures including, but not limited to, the following:</p> <ul style="list-style-type: none">i. Minimize gasoline spills;ii. Clean up spills immediately;iii. Cover all open gasoline containers with a gasket seal when not in use;iv. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.	<p>1. 40 CFR 63.424(g)</p>

D. 112(r) ACCIDENTAL RELEASE REQUIREMENTS

Should any of the units, as defined in 40 CFR section 68.3, become subject to the accidental release prevention regulations in part 68, then the permittee shall submit a risk management plan (RMP) pursuant to 40 CFR section 68.12 by the date specified in section 68.10 and shall certify compliance with the requirements of part 68 as part of the annual compliance certification as required by 40 CFR section 70.6(c)(5).

Section IV: Compliance Demonstration

The following tables contain compliance demonstrations for each identified Pollutant and Emission Unit regulated by this permit.

A. GROUPED EMISSIONS UNIT 1 (Aboveground Combined Gasoline and Distillate Storage Vessels)

1. Monitoring and Testing Requirements

i. Pollutants or Process Parameters: VOC

- a. The annual VOC emissions from each storage vessel shall be calculated by the permittee using Tanks Program, Version 4.09b or the latest upgraded version. [RCSA 22a-174-33(j)(1)(K)(ii)]
- b. The permittee shall visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the permittee shall repair the items before filling the storage vessel. [40 CFR 60.113b(a)(1)]
- c. For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, the permittee shall visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the permittee shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in Section III.A.3.i.c of this permit. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the permittee will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible. [40 CFR 60.113b(a)(2)]
- d. For vessels equipped with a double-seal system, the permittee shall: [40 CFR 60.113b(a)(3)]
 1. Visually inspect the vessel as specified in Section IV.A.1.e of this permit at least every 5 years; or
 2. Visually inspect the vessel as specified in Section IV.A.1.c of this permit.
- e. The permittee shall visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the permittee shall repair the items as necessary so that none of the conditions specified exist before refilling the storage vessel with VOL. In no event shall these inspections occur at intervals greater than 10 years. [40 CFR 60.113b(a)(4)]
- f. The permittee shall conduct a monthly routine inspection through the roof hatches. [RCSA 22a-174-20(a)(8)(C)]
- g. A complete inspection of the cover and seal shall be conducted by the permittee whenever the storage vessel is emptied for non-operational reasons but in any event at least once per year. [RCSA 22a-174-20(a)(8)(D)]
- h. The permittee shall ensure that there are no visible holes, tears or other openings in the seal or any seal fabric or materials. [RCSA 22a-174-20(a)(8)(A)]
- i. The permittee shall ensure that all openings except stub drains are equipped with covers, lids or seals such that: [RCSA 22a-174-20(a)(8)(B)]

Section IV: Compliance Demonstration

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1. the cover, lid or seal is in the closed position at all times except in actual use; and
 2. automatic bleeder vents are closed at all times except when the roof is being floated off or being landed on the roof leg supports; and
 3. rim vents, if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting.
- j. For storage vessels operated above or below ambient temperatures, the maximum true vapor pressure shall be calculated by the permittee based upon the highest expected calendar-month average of the storage temperature. For storage vessels operated at ambient temperatures, the maximum true vapor pressure shall be calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service. [40 CFR 60.116b(e)(1)]
- k. The permittee shall determine vapor pressure for the storage vessels storing crude oil or refined petroleum product in one of the following ways: [40 CFR 60.116b(e)(2)]
1. By the available data on the Reid Vapor Pressure and the maximum expected storage temperature. The maximum expected storage temperature shall be based on the highest expected calendar-month average temperature of the stored product. This temperature shall be used to determine the maximum true vapor pressure from nomograph contained in API Bulletin 2517 (incorporated by reference herein. See 40 CFR 60.17). Notwithstanding the above, the liquid shall be sampled, the actual storage temperature determined, and the Reid Vapor Pressure determined from the sample(s) upon written request by the Commissioner and Administrator; or
 2. By the true vapor pressure of each type of crude oil with a Reid Vapor Pressure less than 13.8 kPa (2.00 psia). When physical properties preclude determination of the vapor pressure by this method, the vapor pressure shall be determined from available data and recorded if the estimated maximum true vapor pressure is greater than 3.5 kPa (0.508 psia).
- l. For other liquids, the permittee shall determine the vapor pressure from:
1. standard reference texts, or [40 CFR 60.116b(e)(3)]
 2. by ASTM Method D2879-83 determination (incorporated by reference-see 40 CFR 60.17); or
 3. an appropriate measurement method approved by the Administrator (EPA); or
 4. by an appropriate calculation method approved by the Administrator (EPA).
- m. The permittee shall determine compliance with the RVP of gasoline to be sold or delivered by the permittee to any gasoline service station in Connecticut, by using the following ASTM test methods: [RCSA 22a-174-20(a)(7)]
1. ASTM Method D323-82, "Standard Method for Vapor Pressure of Petroleum Products (Reid Method)";
 2. ASTM Method D4057-81, "Standard Practice for Sampling of Petroleum and Petroleum Products"; or
 3. ASTM Method D270 "Standard Method of Sampling of Petroleum and Petroleum Products". or
 4. The most current ASTM Method as approved by the Administrator/Commissioner.

2. Record Keeping Requirements

i. *Pollutants or Process Parameters: VOC*

- a. Annual emissions shall be recorded by the permittee for each storage vessel. The records shall be kept for a minimum of five (5) years after such record is made. [RCSA 22a-174-33(j)(K)(ii)]

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- b. Records of the results of all the inspections performed shall be maintained by the permittee and kept for a minimum of five (5) years after such record is made. Each record shall include, at a minimum, the identification of the storage vessel on which the inspection was performed, whether the storage vessel was filled or emptied and degassed, the date the vessel was inspected, the name of the inspector, a check off list to show what was inspected, and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings). [40 CFR 60.115b(a)(2); 40 CFR 63.428(d)]
- c. For the life of each storage vessel, the permittee shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. [40 CFR 60.116b(b)]
- d. The permittee shall maintain a record of the VOL stored, the period of storage, monthly throughput, the average monthly storage temperature, and the maximum true vapor pressure of that VOL during the respective storage period. [40 CFR 60.116b(c); RCSA 22a-174-20(a)(8)(E)]
- e. For each storage vessel, the permittee shall record the dates when each storage vessel was emptied and degassed and the date the storage vessel was refilled. [RCSA 22a-174-33(j)(1)(K)(ii)]
- f. The permittee shall maintain and keep copies of all inspections conducted for at least five (5) years, unless specified otherwise. [RCSA 22a-174-20(a)(8)(F); 40 CFR 63.428(d)]
- g. The permittee shall keep copies of all records for at least five(5) years, unless specified otherwise. [40 CFR 63.428(d)]

3. Reporting Requirements

i. Pollutants or Process Parameters: VOC

- a. The permittee shall furnish the commissioner/Administrator with a report that describes the control equipment and certifies that the control equipment meets the specification of Section III.A.1.b and Section IV.A.1.i.b through e of this permit. This report shall be an attachment to the notification of the actual date of initial startup as required by 40 CFR 60.7(a)(3). [40 CFR 60.115b]
- b. The permittee shall notify the commissioner/Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by Sections IV.A.1.i.b & e of this permit to afford the commissioner/Administrator the opportunity to have an observer present. [40 CFR 60.113b(a)(5)]
- c. If the inspection required by Section IV.A.1.i.e of this permit is not planned and the permittee could not have known about the inspection 30 days in advance or refilling the tank, the permittee shall notify the commissioner/Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that the Administrator receives it at least 7 days prior to the refilling. [40 CFR 60.113b(a)(5)]
- d. If any of the following defects; the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, are observed by the permittee during the annual visual inspection of the internal floating roof and the installed closure device, a report shall be furnished by the permittee to the commissioner/Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of the repair and the date the repair was made. [40 CFR 60.115b(a)(3); 40 CFR 63.428(d)]

Section IV: Compliance Demonstration

B. GROUPED EMISSION UNIT 2 (Loading Operations)

1. Monitoring and Testing Requirements

i. Pollutants or Process Parameters: VOC/ HAPs

- a. The permittee shall operate and maintain, according to the manufacturer's specifications, a vapor combustion unit (VCU) that is designed to collect the total organic compounds vapors displaced from the gasoline cargo tanks during product loading. The emissions to the atmosphere from the VCU due to the loading of the gasoline cargo tanks shall not exceed 10 milligrams of total organic compounds per liter (10 mg/l) of gasoline loaded over a six-(6) hour period. [40 CFR 63.422(b); 40 CFR 60.502(a); RCSA 22a-174-20(b)(2)]
- b. The VCU shall be operated by the permittee to prevent any total organic compounds vapors collected at one loading rack from passing to another loading rack. [40 CFR 60.502(d)]
- c. The permittee shall operate and maintain, according to the manufacturer's specifications, a continuous flame sensor basis, installed in proximity to the pilot light of the VCU (enclosed flare). [40 CFR 63.427(a)(4)]
- d. The permittee shall conduct a performance test on the vapor processing system according to the test methods and procedures in Sec. 60.503, except a reading of 500 ppm shall be used to determine the level of leaks to be repaired under Sec. 60.503(b). [40 CFR 63.425(a)]
- e. The permittee shall meet the performance specifications and quality assurance requirements for the continuous flame sensor specified in RCSA 22a-174-4(c)(4). [RCSA 22a-174-4(c)(4)]
- f. For each performance test conducted on the VCU, the permittee shall determine a monitored operating parameter value for the using the following procedure: [40 CFR 63.425(b)]
 1. During the performance test, the permittee shall continuously record the operating parameter under 40 CFR 63.427(a); and
 2. The permittee shall determine an operating parameter value based on the parameter data monitored during the performance test, supplemented by engineering assessments and the manufacturer's recommendations.
 3. The permittee shall provide for the commissioner/ Administrator's approval the rationale for the selected operating parameter value, and monitoring frequency and averaging time, including data and calculations used to develop the value and a description of why the value, monitoring frequency, and averaging time demonstrate continuous compliance with the emission standard in Section IV.B.1.i.a of this permit.
- g. The throughput for the loading rack shall not exceed 146.402 million gal/yr of gasoline; 525.6 million gal/yr distillate from the 2 controlled bays; and 61.320 million gal/yr distillate from the 1 uncontrolled bay. The throughput for the marine barge loading shall not exceed 105 million gallons of distillate per year.

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ii. *Pollutants or Process Parameters: Vapor-tight Gasoline Cargo Tanks*

- a. The gasoline loading racks shall be equipped with loading arms that have a vapor collection adapter, pneumatic, hydraulic, or other mechanical means to force a vapor-tight seal between the adapter and the hatch. A means shall be provided to prevent liquid organic compound drainage from the loading device when it is removed from the hatch of any cargo tank or to accomplish complete drainage before such removal. When loading is effected through means other than hatches, all loading and vapor lines shall be equipped with fittings which make vapor-tight connections and which close automatically when disconnected. [RCSA 22a-174-20(b)(3)]
- b. The permittee shall not load gasoline cargo tanks at the premises unless the gasoline cargo tanks are equipped with vapor collection and processing equipment that are compatible with the terminal's vapor collection and VCU. [40 CFR 60.502(f)]
- c. Loading of liquid product into gasoline cargo tanks shall be limited to vapor-tight gasoline cargo tanks using the following procedures: [40 CFR 60.502(e); 40 CFR 63.422(c)(2)]
 1. The permittee shall obtain the vapor tightness documentation as described in the record keeping requirements section of this permit for each gasoline cargo tank which is to be loaded at the premises. [40 CFR 60.502(e)(1)]
 2. The permittee shall require the gasoline cargo tank's identification number to be recorded as each gasoline cargo tank is loaded at the premises. [40 CFR 60.502(e)(2)]
 3. The permittee shall cross-check each gasoline cargo tank's identification number, with the file of gasoline cargo tank vapor tightness documentation within 2 weeks after the corresponding gasoline cargo tank is loaded. [40 CFR 60.502(e)(3)]
 4. The permittee shall notify the owner or operator of each non-vapor-tight gasoline cargo tank loaded at the affected facility within 1 week of the documentation cross-check. [40 CFR 60.502(e)(4)]
 5. The permittee shall take steps assuring that the non vapor-tight gasoline cargo tank will not be reloaded at the facility until vapor tightness documentation for that gasoline cargo tank is obtained which documents that: [40 CFR 63.422(c)(2)]
 - i. the gasoline cargo tank meets the applicable test requirements in Sec. 63.425(e);
 - ii. for each gasoline cargo tank failing the leak detection test in 40 CFR 63.425 (f) or (g) at the facility, the cargo tank either:
 - a. Before repair work is performed on the cargo tank, meets the leak detection test requirements in 40 CFR 63.425 (g) or (h), or
 - b. After repair work is performed on the cargo tank before or during the leak detection tests in 40 CFR 63.425 (g) or (h), subsequently passes the annual certification test described in 40 CFR 63.425(e).
- d. Alternate procedures to those described in Section IV.B.1.ii.c of this permit, for limiting gasoline cargo tank loadings may be used upon application to, and approval by, the Administrator. [40 CFR 60.502(e)(6)]
- e. The permittee shall act to assure that the terminal and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the affected facility. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the affected loading racks. [40 CFR 60.502(g)]
- f. The permittee shall operate the vapor collection and liquid loading equipment to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in 40 CFR 60.503(d). [40 CFR 60.502(h)]

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- g. No pressure-vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water). [40 CFR 60.502(i)]

2. Record Keeping Requirements

i. Pollutants or Process Parameters: VOC/ HAPs

- a. Annual VOC emissions shall be recorded by the permittee. Monthly loading throughputs shall be recorded and used in determining the annual total VOC emission in tpy on a 12 month rolling average. The record shall be kept for a minimum of five (5) years after such record is made. [RCSA 22a-174-33(j)(1)(K)(ii)]
- b. The permittee shall keep an up-to-date, readily accessible record of the continuous monitoring system data. This record shall indicate the time intervals during which loading of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data for each loading. The date and time of day shall also be indicated at reasonable intervals on this record. [40 CFR 63.428(c)(1)]
- c. The permittee shall keep records of all replacements or additions of components or parts on an existing vapor processing system VCU and records of all repairs and maintenance done on the VRU for at least 5 years. [40 CFR 60.505(f)]
- d. The permittee shall keep documentation of all notifications required in 40 CFR 60.505(d) on file at the terminal for at least 5 years. [RCSA 22a-174-33(j)(1)(K)(ii)]
- e. For each performance tests performed on the VCU by the permittee after the initial test, the permittee shall document the reasons for any change in the operating parameter value since the previous performance test. [40 CFR 63.425(c)]
- f. The permittee shall keep copies of all records at the premises for at least five (5) years after such record is made except if specified otherwise. [RCSA 22a-174-33(o)(2)]

ii. Pollutants or Process Parameters: Vapor-tight Gasoline Cargo Tanks

- a. The permittee shall keep an up-to-date documentation file for each gasoline cargo tank loading at the premises as required in 40 CFR 63.428(b)(3) including documentation concerning vapor tightness. [40 CFR 63.428(b)(3)]
- b. The permittee shall keep records of the annual certification testing performed under 40 CFR 63.428(b)(1) for each gasoline cargo tank loading at the premises. [40 CFR 63.428(b)(1)]
- c. The documentation file for each gasoline cargo tank kept by the permittee shall be updated at least once per year to reflect current test results as determined by Method 27. The documentation shall include, as a minimum, the information pursuant to 40 CFR 60.505(b) [40 CFR 60.505(b)]
- d. The permittee shall record the following information in the logbook for each leak that is detected: [40 CFR 63.428(e)]
 - 1. The equipment type and identification number of the equipment where a leak is located.
 - 2. The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell, probe)
 - 3. The date the leak was detected and the date of each attempt to repair the leak.
 - 4. Repair methods applied in each attempt to repair the leak.
 - 5. If the leak is not repaired within 15 calendar days after discovery of the leak, the reason for the delay.

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6. The expected date of successful repair of the leak if the leak is not repaired within 15 days.
7. The date of successful repair of the leak.

3. Reporting Requirements

i. Pollutants or Process Parameters: VOC/ HAPs

- a. The permittee shall submit an excess emissions report to the commissioner/Administrator semiannually in accordance with 40 CFR 63.428(h) and 40 CFR 63.10(e)(3)(i).
- b. For each performance test conducted, the permittee shall provide for the commissioner's and Administrator's approval the rationale for the selected operating parameter value, the monitoring frequency and averaging time, including data and calculations used to develop the value and a description of why the value, monitoring frequency, and averaging time demonstrate continuous compliance with the emission standard of 10 mg/l of gasoline loaded. [40 CFR 63.425(b)]
- c. The permittee shall provide records to the commissioner within thirty days of receipt of a written request from the commissioner or such sooner time as the commissioner may require. [RCSA 22a-174-4(d)(1)]

ii. Pollutants or Process Parameters: Vapor-tight Gasoline Cargo Tanks

- a. The permittee shall submit semiannually to the commissioner/Administrator, a report that includes each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the permittee. The report shall also include the number of equipment leaks at the gasoline cargo tank not repaired within 5 days after detection. [40 CFR 63.428(g)]

C. EMISSION UNIT 16 (Product Distribution System)

1. Monitoring and Testing Requirements

i. Pollutants or Process Parameters: VOC/ HAPs

- a. The permittee shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank. [40 CFR 63.424(a)]
- b. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak. [40 CFR 63.424(c)]
- c. Delay of repair of leaking equipment will be allowed upon a written demonstration, to the commissioner and Administrator's satisfaction that the repair within 15 days is not feasible. The permittee shall provide the reason(s) a delay is needed and the expected date for the completion of each repair. [40 CFR 63.424(d)]

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2. Record Keeping Requirements

i. Pollutants or Process Parameters: VOC/ HAPs

- a. The permittee shall sign a logbook at the completion of each inspection and indicate when the inspection was done, who did the inspection, specifically what was inspected, and the results of the inspection. A section of the log shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the premises. [40 CFR 63.424(b)]
- b. For each leak detected, the following shall be recorded in the log book: [40 CFR 63.424(c) & 40 CFR 63.428(e)]
 2. The equipment type and identification number of the equipment where a leak is located;
 3. The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell);
 4. The date the leak was detected and the date of each attempt to repair the leak;
 5. Repair methods applied in each attempt to repair the leak;
 6. If the leak is not repaired within 15 calendar days after discovery of the leak, the reason for the delay;
 6. The expected date of successful repair of the leak if the leak is not repaired within 15 days; and
 7. The date of successful repair of the leak.

3. Reporting Requirements

i. Pollutants or Process Parameters: VOC/ HAPs

- a. The permittee shall include in a semiannual report to the commissioner and Administrator the following information, as applicable: [40 CFR 60.428(e); 40 CFR 63.424(a) (b), & (c); 40 CFR 60.502(j)]
 1. Each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the premises;
 2. The equipment type and identification number for each leak that is detected;
 3. The nature of the leak (i.e. vapor or liquid) and the method of detection (i.e. sight, sound, or smell)
 4. The date the leak was detected and the date of each attempt to repair the leak;
 5. Repair methods applied in each attempt to repair the leak;
 6. "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak;
 7. The expected date of successful repair of the leak if the leak is not repaired within 15 days;
 8. The date of successful repair of the leak; and
 9. The number of equipment leaks not repaired within 5 days after detection, the location and the size of such leaks.

Section V: Premises-wide General Requirements

Table V: PREMISES-WIDE GENERAL REQUIREMENTS		
Pollutants or Process Parameters	Applicable Regulatory References/Citations	Limitations or Restrictions
Opacity	RCSA 22a-174-18(b)(1) & (2)	<p>For stationary sources without opacity CEM requirement. Except as provided by RCSA 22a-174-18(j), the permittee shall not exceed the following visible emissions limits: [22a-174-18(b)(1)(A) & (B)]</p> <p>(A) Twenty percent (20%) opacity during any six-minute block average as measured by 40 CFR 60, Appendix A, Reference method 9; or</p> <p>(B) Forty percent (40%) opacity s measured by 40 CFR 60, Appendix A, Reference method 9, reduced to a one-minute block average.</p> <p>For stationary sources with opacity CEM requirement. Except as provided by RCSA 22a-174-18(j), the permittee shall not exceed the following visible emissions limits: [22a-174-18(b)(2)(A) & (B)]</p> <p>(A) Twenty percent (20%) opacity during any six-minute block average; or</p> <p>(B) Forty percent (40%) opacity during any one-minute block average.</p>
Annual Emission Statements	RCSA §22a-174-4	The permittee shall submit annual emission inventory statements requested by the commissioner as specified in RCSA §22a-174-4(d)(1).
Emergency Episode Procedures	RCSA §22a-174-6	The permittee shall comply with the procedures for emergency episodes as specified in RCSA §22a-174-6.
Public Availability of Information	RCSA §22a-174-10	The public availability of information shall apply, as specified in RCSA 22a-174-10.
Prohibition against Concealment/ circumvention	RCSA §22a-174-11	The permittee shall company with the prohibition against concealment or circumvention as specified in RCSA 22a-174-11.
Emission Fees	RCSA §22a-174-26	The permittee shall pay an emission fee in accordance with RCSA §22a-174-26(d).
Operation and Maintenance Plan	RCSA 22a-174-20(b)(16)	<p>The permittee shall develop, implement, and update an Operation and Maintenance (O&M) Plan for any equipment used to load or unload gasoline in accordance with RCSA 22a-174-20(b)(16)(A). The plan shall include a written startup, shutdown, and malfunction plan in accordance with 40 CFR 63.6(e)(3)(i) and shall be implemented not later than September 1, 1998.</p> <p>The permittee shall develop a formal training program implementing the O&M plan for any person that receives gasoline from the premises. The permittee shall make and keep monthly records demonstrating the implementation of the O&M plan, including records of persons completing the required training program. All records shall be maintained on the premises for a period of five-(5) years and shall be provided to the commissioner/ Administrator upon request. [RCSA 22a-174-20(b)(16)]</p>

Section VI: Compliance Schedule

NOT APPLICABLE

Table VI: COMPLIANCE SCHEDULE				
Emission Unit	Applicable Regulations	Steps required for achieving compliance (Milestones)	Date by which each step is to be completed	Dates for monitoring, record keeping, and reporting
N/A				

Section VII: State Enforceable Special Terms and Conditions

Only the commissioner of the Department of Environmental Protection has the authority to enforce the terms, conditions and limitations contained in this section.

- A.** This permit does not relieve the permittee of the responsibility to conduct, maintain and operate the emissions units in compliance with all applicable requirements of any other Bureau of the Department of Environmental Protection or any federal, local or other state agency. Nothing in this permit shall relieve the permittee of other obligations under applicable federal, state and local law.
- B.** Nothing in this permit shall affect the commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, investigate air pollution, recover costs and natural resource damages, and to impose penalties for violations of law, including but not limited to violations of this or any other permit issued to the permittee by the commissioner.
- C.** Odors: The permittee shall not cause or permit the emission of any substance or combination of substances, which creates or contributes to an odor beyond the property boundary of the premises as set forth in RCSA Section 22a-174-23.
- D.** Noise: The permittee shall operate in compliance with the regulations for the control of noise as set forth in RCSA Sections 22a-69-1 through 22a-69-7.4, inclusive.
- E.** Hazardous Air Pollutants (HAPs): The permittee shall operate in compliance with the regulations for the control of HAPs as set forth in RCSA Section 22a-174-29.
- F.** Open Burning: The permittee is prohibited from conducting open burning, except as may be allowed by CGS Section 22a-174(f).
- G.** Fuel Sulfur Content: The permittee shall not use #2 heating oil that exceeds three-tenths of one percent sulfur by weight as set forth in CGS Section 16a-21a.
- H.** Reporting of emissions of greenhouse gases: In accordance with CGS Section 22a-200b(b), not later than April 15, 2006, and annually thereafter, the owner or operator of any facility that is required to report air emissions data to the Department of Environmental Protection pursuant to Title V of the federal Clean Air Act and that has stationary emissions sources that emit greenhouse gases shall report to the regional registry direct stack emissions of greenhouse gases from such sources. The owner or operator shall report all greenhouse gas emissions in a type and format that the regional registry can accommodate.

Section VIII: Permit Shield

NO PERMIT SHIELD GRANTED

Table VIII: PERMIT SHIELD				
Regulated Pollutants	Emission Units	Applicable Requirement or Non-Applicable Requirement Descriptions	Applicable Regulatory References/ Citations	*Permit Shield Indicate
No permit shield is granted				

*For “Permit Shield Indicate”, use AR to indicate Applicable Requirement and NR for Non- Applicable Requirement

Section IX: Title V Requirements

The Administrator of the United States Environmental Protection Agency and the Commissioner of Environmental Protection have the authority to enforce the terms and conditions contained in these sections.

A. SUBMITTALS TO THE COMMISSIONER & ADMINISTRATOR

The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including, but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or legal holiday shall be submitted or performed by the next business day thereafter.

Any document required to be submitted to the Commissioner under this permit shall, unless otherwise specified in writing by the Commissioner, be directed to: Office of the Assistant Director; Compliance & Field Operations Division; Bureau of Air Management; Department of Environmental Protection; 79 Elm Street, 5th Floor; Hartford, Connecticut 06106-5127.

Any submittal to the Administrator of the U. S. Environmental Protection Agency shall be in a computer-readable format and addressed to: Director, Air Compliance Program; Attn: Air Compliance Clerk; Office of Environmental Stewardship; US EPA, Region 1; One Congress Street; Suite 1100 (SEA); Boston, MA 02114-2023.

B. CERTIFICATIONS [RCSA § 22a-174-33(b)]

In accordance with Section 22a-174-33(b) of the RCSA, any report or other document required by this Title V permit and any other information submitted to the Commissioner or Administrator shall be signed by an individual described in Section 22a-174-2a(a) of the RCSA, or by a duly authorized representative of such individual. Any individual signing any document pursuant to Section 22a-174-33(b) of the RCSA shall examine and be familiar with the information submitted in the document and all attachments thereto, and shall make inquiry of those individuals responsible for obtaining the information to determine that the information is true, accurate, and complete, and shall also sign the following certification as provided in Section 22a-174-2a(a)(5) of the RCSA:

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under Section 22a-175 of the Connecticut General Statutes, under Section 53a-157b of the Connecticut General Statutes, and in accordance with any applicable statute.”

C. SIGNATORY RESPONSIBILITY [RCSA § 22a-174-2a(a)]

For purposes of signing any Title V-related application, document, report or certification required by section 22a-174-33 of the Regulations of Connecticut State Agencies, any corporation's duly authorized representative may be either a named individual or any individual occupying a named position. Such named individual or individual occupying a named position is a duly authorized representative if such individual is responsible for the overall operation of one or more manufacturing, production or operating facilities subject to section 22a-174-33 of the Regulations of Connecticut State Agencies and either:

Section IX: Title V Requirements

1. The facilities employ more than two-hundred fifty (250) persons or have gross annual sales or expenditures exceeding twenty-five (25) million dollars in second quarter 1980 dollars; or
2. The delegation of authority to the duly authorized representative has been given in writing by an officer of the corporation in accordance with corporate procedures and the following:
 - (i) Such written authorization specifically authorizes a named individual, or a named position, having responsibility for the overall operation of the Title V premises or activity,
 - (ii) Such written authorization is submitted to the commissioner and has been approved by the commissioner in advance of such delegation. Such approval does not constitute approval of corporate procedures, and
 - (iii) If a duly authorized representative is a named individual in an authorization submitted under sub clause (ii) of this subparagraph and a different individual is assigned or has assumed the responsibilities of the duly authorized representative, or, if a duly authorized representative is a named position in an authorization submitted under sub clause (ii) of this subparagraph and a different named position is assigned or has assumed the duties of the duly authorized representative, a new written authorization shall be submitted to the commissioner prior to or together with the submission of any application, document, report or certification signed by such representative.

D. ADDITIONAL INFORMATION [RCSA § 22a-174-33(j)(1)(X)]

The permittee shall submit additional information in writing, at the Commissioner's request, within thirty (30) days of receipt of notice from the Commissioner or by such other date specified by the Commissioner, whichever is earlier, including information to determine whether cause exists for modifying, revoking, reopening, reissuing, or suspending the permit or to determine compliance with the permit.

In addition, within fifteen days of the date the permittee becomes aware of a change in any information submitted to the Commissioner under this permit or of any change in any information contained in the application, or that any such information was inaccurate or misleading or that any relevant information was omitted, the permittee shall submit the changed, corrected, or omitted information to the Commissioner.

E. MONITORING REPORTS [RCSA § 22a-174-33(o)(1)]

A permittee, required to perform monitoring pursuant this permit, shall submit to the Commissioner, on forms prescribed by the Commissioner, written monitoring reports on January 30 and July 30 of each year or on a more frequent schedule if specified in such permit. Such monitoring reports shall include the date and description of each deviation from a permit requirement including, but not limited to:

1. Each deviation caused by upset or control equipment deficiencies; and
2. Each deviation of a permit requirement that has been monitored by the monitoring systems required under this permit, which has occurred since the date of the last monitoring report; and
3. Each deviation caused by a failure of the monitoring system to provide reliable data.

Section IX: Title V Requirements

F. PREMISES RECORDS [RCSA § 22a-174-33(o)(2)]

Unless otherwise required by this permit, the permittee shall make and keep records of all required monitoring data and supporting information for at least five (5) years from the date such data and information were obtained. The permittee shall make such records available for inspection at the site of the subject source, and shall submit such records to the Commissioner upon request. The following information, in addition to required monitoring data, shall be recorded for each permitted source:

1. The type of monitoring or records used to obtain such data, including record keeping;
2. The date, place, and time of sampling or measurement;
3. The name of the individual who performed the sampling or the measurement and the name of such individual's employer;
4. The date(s) on which analyses of such samples or measurements were performed;
5. The name and address of the entity that performed the analyses;
6. The analytical techniques or methods used for such analyses;
7. The results of such analyses;
8. The operating conditions at the subject source at the time of such sampling or measurement; and
9. All calibration and maintenance records relating to the instrumentation used in such sampling or measurements, all original strip-chart recordings or computer printouts generated by continuous monitoring instrumentation, and copies of all reports required by the subject permit.

G. PROGRESS REPORTS [RCSA § 22a-174-33(q)(1)]

The permittee shall, on January 30 and July 30 of each year, or on a more frequent schedule if specified in this permit, submit to the Commissioner a progress report on forms prescribed by the Commissioner, and certified in accordance with Section 22a-174-2a(a)(5) of the RCSA. Such report shall describe the permittee's progress in achieving compliance under the compliance plan schedule contained in this permit. Such progress report shall:

1. Identify those obligations under the compliance plan schedule in the permit which the permittee has met, and the dates on which they were met; and
2. Identify those obligations under the compliance plan schedule in this permit which the permittee has not timely met, explain why they were not timely met, describe all measures taken or to be taken to meet them and identify the date by which the permittee expects to meet them.

Any progress report prepared and submitted pursuant to Section 22a-174-33(q)(1) of the RCSA shall be simultaneously submitted by the permittee to the Administrator.

Section IX: Title V Requirements

H. COMPLIANCE CERTIFICATIONS [RCSA § 22a-174-33(q)(2)]

The permittee shall, on January 30 of each year, or on a more frequent schedule if specified in this permit, submit to the Commissioner, a written compliance certification certified in accordance with Section 22a-174-2a(a)(5) of the RCSA and which includes the information identified in Title 40 CFR 70.6(c)(5)(iii)(A) to (C), inclusive.

Any compliance certification prepared and submitted pursuant to Section 22a-174-33(q)(2) of the RCSA shall be simultaneously submitted by the permittee to the Administrator.

I. PERMIT DEVIATION NOTIFICATIONS [RCSA § 22a-174-33(p)]

Notwithstanding Subsection D of Section IX of this permit, the permittee shall notify the Commissioner in writing, on forms prescribed by the Commissioner, of any deviation from an emissions limitation, and shall identify the cause or likely cause of such deviation, all corrective actions and preventive measures taken with respect thereto, and the dates of such actions and measures as follows:

1. For any hazardous air pollutant, no later than twenty-four (24) hours after such deviation commenced; and
2. For any other regulated air pollutant, no later than ten (10) days after such deviation commenced.

J. PERMIT RENEWAL [RCSA § 22a-174-33(j)(1)(B)]

All of the terms and conditions of this permit shall remain in effect until the renewal permit is issued or denied provided that a timely renewal application is filed in accordance with Sections 22a-174-33(g), -33(h), and -33(i) of the RCSA.

K. OPERATE IN COMPLIANCE [RCSA § 22a-174-33(j)(1)(C)]

The permittee shall operate the source in compliance with the terms of all applicable regulations, the terms of this permit, and any other applicable provisions of law. In addition, any noncompliance constitutes a violation of the Clean Air Act and Chapter 446c of the Connecticut General Statutes and is grounds for federal and/or state enforcement action, permit termination, revocation and reissuance, or modification, and denial of a permit renewal application.

L. COMPLIANCE WITH PERMIT [RCSA § 22a-174-33(j)(1)(G)]

This permit shall not be deemed to:

1. preclude the creation or use of emission reduction credits or the trading of such credits in accordance with Sections 22a-174-33(j)(1)(I) and 22a-174-33(j)(1)(P) of the RCSA, provided that the Commissioner's prior written approval of the creation, use, or trading is obtained;
2. authorize emissions of an air pollutant so as to exceed levels prohibited under 40 CFR Part 72;
3. authorize the use of allowances pursuant to 40 CFR Parts 72 through 78, inclusive, as a defense to noncompliance with any other applicable requirement; or
4. impose limits on emissions from items or activities specified in Sections 22a-174-33(g)(3)(A) and (B) of the RCSA unless imposition of such limits is required by an applicable requirement.

Section IX: Title V Requirements

M. INSPECTION TO DETERMINE COMPLIANCE [RCSA § 22a-174-33(j)(1)(M)]

The Commissioner may, for the purpose of determining compliance with the permit and other applicable requirements, enter the premises at reasonable times to inspect any facilities, equipment, practices, or operations regulated or required under the permit; to sample or otherwise monitor substances or parameters; and to review and copy relevant records lawfully required to be maintained at such premises in accordance with this permit. It shall be grounds for permit revocation should entry, inspection, sampling, or monitoring be denied or effectively denied, or if access to and the copying of relevant records is denied or effectively denied.

N. PERMIT AVAILABILITY

The permittee shall have available at the facility at all times a copy of this Title V Operating Permit.

O. SEVERABILITY CLAUSE [RCSA § 22a-174-33(j)(1)(R)]

The provisions of this permit are severable. If any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the remainder of this permit and the application of such provision to other circumstances shall not be affected.

P. NEED TO HALT OR REDUCE ACTIVITY [RCSA § 22a-174-33(j)(1)(T)]

It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

Q. PERMIT REQUIREMENTS [RCSA § 22a-174-33(j)(1)(V)]

The filing of an application or of a notification of planned changes or anticipated noncompliance does not stay the permittee's obligation to comply with this permit.

R. PROPERTY RIGHTS [RCSA § 22a-174-33(j)(1)(W)]

This permit does not convey any property rights or any exclusive privileges. This permit is subject to, and in no way derogates from any present or future property rights or other rights or powers of the State of Connecticut, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the facility or regulated activity affected thereby, including Section 4-181a(b) of the Connecticut General Statutes and Section 22a-3a-5(b) of the RCSA. This permit shall neither create nor affect any rights of persons who are not parties to this permit.

S. ALTERNATIVE OPERATING SCENARIO RECORDS [RCSA § 22a-174-33(o)(3)]

The permittee shall, contemporaneously with making a change authorized by this permit from one alternative operating scenario to another, maintain a record at the premises indicating when changes are made from one operating scenario to another and shall maintain a record of the current alternative operating scenario.

Section IX: Title V Requirements

T. OPERATIONAL FLEXIBILITY AND OFF-PERMIT CHANGES [RCSA § 22a-174-33(r)(2)]

The permittee may engage in any action allowed by the Administrator in accordance with 40 CFR 70.4(b)(12)(i) to (iii)(B) inclusive, and 40 CFR 70.4(b)(14)(i) to (iv), inclusive without a Title V non-minor permit modification, minor permit modification or revision and without requesting a Title V non-minor permit modification, minor permit modification or revision provided such action does not:

1. constitute a modification under 40 CFR 60, 61 or 63,
2. exceed emissions allowable under the subject permit,
3. constitute an action which would subject the permittee to any standard or other requirement pursuant to 40 CFR 72 to 78, inclusive, or
4. constitute a non-minor permit modification pursuant to Section 22a-174-2a(d)(4) of the RCSA.

At least seven (7) days before initiating an action specified in Section 22a-174-33(r)(2)(A) of the RCSA, the permittee shall notify the Administrator and the Commissioner in writing of such intended action.

U. INFORMATION FOR NOTIFICATION [RCSA § 22a-174-33(r)(2)(A)]

Written notification required under Section 22a-174-33(r)(2)(A) of the RCSA shall include a description of each change to be made, the date on which such change will occur, any change in emissions that may occur as a result of such change, any Title V permit terms and conditions that may be affected by such change, and any applicable requirement that would apply as a result of such change. The permittee shall thereafter maintain a copy of such notice with the Title V permit. The Commissioner and the permittee shall each attach a copy of such notice to their copy of the permit.

V. TRANSFERS [RCSA § 22a-174-2a(g)]

No person other than the permittee shall act or refrain from acting under the authority of this permit unless this permit has been transferred to another person in accordance with Section 22a-174-2a(g) of the RCSA.

The proposed transferor and transferee of a permit shall submit to the Commissioner a request for a permit transfer on a form provided by the Commissioner. A request for a permit transfer shall be accompanied by any fees required by any applicable provision of the general statutes or regulations adopted thereunder. The Commissioner may also require the proposed transferee to submit with any such request, the information identified in CGS Section 22a-6m.

W. REVOCATION [RCSA § 22a-174-2a(h)]

The Commissioner may revoke this permit on his own initiative or on the request of the permittee or any other person, in accordance with Section 4-182(c) of the Connecticut General Statutes, Section 22a-3a-5(d) of the RCSA, and any other applicable law. Any such request shall be in writing and contain facts and reasons supporting the request. The permittee requesting revocation of this permit shall state the requested date of revocation and provide the Commissioner with satisfactory evidence that the emissions authorized by this permit have been permanently eliminated.

Section IX: Title V Requirements

Pursuant to the Clean Air Act, the Administrator has the power to revoke this permit. Pursuant to the Clean Air Act, the Administrator also has the power to reissue this permit if the Administrator has determined that the Commissioner failed to act in a timely manner on a permit renewal application.

This permit may be modified, revoked, reopened, reissued, or suspended by the Commissioner, or the Administrator in accordance with Section 22a-174-33(r) of the RCSA, Connecticut General Statutes Section 22a-174c, or Section 22a-3a-5(d) of the RCSA.

X. REOPENING FOR CAUSE [RCSA § 22a-174-33(s)]

This permit may be reopened by the Commissioner, or the Administrator in accordance with Section 22a-174-33(s) of the RCSA.

Y. CREDIBLE EVIDENCE

Notwithstanding any other provision of this permit, for the purpose of determining compliance or establishing whether a permittee has violated or is in violation of any permit condition, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information.